

**AMENDMENT TO RESTRICTIVE COVENANT
FOR ZONING CASE: C14-71-278, (RCA)**

OWNER: Sage Crossroads, LLC, a Texas limited liability company

OWNER ADDRESS: 1520 Oliver Street
Houston, Texas 77007

CITY: The City of Austin, a home-rule city, municipal corporation and political subdivision of the State of Texas, in Travis County, Texas.

CITY COUNCIL: The City Council of the City of Austin.

CONSIDERATION: Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by the City of Austin to the Owner, the receipt and sufficiency of which is acknowledged.

WHEREAS, the Charles C. Tawater, B.L. McGee, and M. W. Engelbrecht, entered into that certain Restrictive Covenant, dated as of November 22, 1971, and recorded in the Real Property Records of Travis County, Texas, on December 15, 1971, in Volume 4224, Page 2396 (the "Restrictive Covenant"), as part of City of Austin Zoning Case No. C14-71-278; and

WHEREAS, the Restrictive Covenant encumbers real property, consisting of four tracts of land, more particularly described in the Restrictive Covenant; and

WHEREAS, the Restrictive Covenant provides that the covenant can be modified, amended, or terminated by joint action of both a majority of the members of the City Council and the Owner of the Property at the time of such modification, amendment or termination; and

WHEREAS, Sage Crossroads, LLC, a Texas limited liability company (the "Owner") of the Property on the date of this Amendment to Restrictive Covenant ("Amendment"), desire to amend the Restrictive Covenant to release a portion of the Property more particularly described as follows:

Tract 2: the south 203.15 feet of Lot 12, Ridgetop Gardens Addition to the City of Austin, Travis County, Texas, as show in the plat of said subdivision of record in Book 3, Page 50, Plat Records of Travis County, Texas, and

Tract 3: the south 203.15 feet of the east 102.5 feet of Lot 11, Ridgetop Gardens Addition to the City of Austin, Travis County, Texas as show in the plat of said subdivision of record in Book 3, Page 50, Plat Records of Travis County, Texas (the "Released Property"); and

WHEREAS, the City Council agrees the Restrictive Covenant should be amended to release the Released Property.

NOW, THEREFORE, for and in consideration of the premises and mutual promises, covenants, and agreement hereinafter set forth, the City and the Owner agree as follows:

1. The restrictive covenant is amended as of the date hereof to release the Released Property from the terms and provisions of the Restrictive Covenant.
2. Except as expressly provided for in this Amendment, each and every one of the terms, conditions, and provisions of the Restrictive Covenant, as set forth in the Restrictive Covenant, shall continue in full force and effect on and after the effective date of this Amendment.
3. The City Manager, or his designee, shall execute on behalf of the City, this Amendment as authorized by the City Council of the City of Austin. The Amendment shall be filed in the Official Public Records of Travis County, Texas.

EXECUTED this the _____ day of _____, 2020.

OWNER:

Sage Crossroads, LLC, a Texas limited liability company

By: Greenbriar South GP, LLC, a Texas limited liability company, its manager

By: _____
Frank M.K. Liu, Manager

CITY OF AUSTIN:

By: _____
J. Rodney Gonzales
Assistant City Manager
City of Austin

APPROVED AS TO FORM:

Name: _____
Assistant City Attorney
City of Austin

THE STATE OF TEXAS §

COUNTY OF _____ §

This instrument was acknowledged before me on this the ____ day of _____2020, by Frank M.K. Liu, as Manager of Greenbriar South GP, LLC, a Texas limited liability company, as manager of Sage Crossroads, LLC, a Texas limited liability company, on behalf of said company.

Notary Public, State of Texas

THE STATE OF TEXAS §

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COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the _____ day of _____, 2020, by J. Rodney Gonzales, as Assistant City Manager of the City of Austin, a municipal corporation, on behalf of said municipal corporation.

Notary Public, State of Texas

After Recording, Please Return to:
City of Austin
Department of Law
P. O. Box 1088
Austin, Texas 78767-1088
Attention: C. Curtis, Paralegal